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DRAFT REPORT OF THE COMMISSION

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* E/CN.4/1994/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council will be contained in documents E/CN.4/1994/L.11 and addenda.

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1994/45. The question of integrating the rights of women into the human rights mechanisms of the United Nations and the elimination of violence against women

The Commission on Human Rights,

Recalling its resolution 1993/46 of 8 March 1993 on integrating the rights of women into the human rights mechanisms of the United Nations, in which it also decided to consider the appointment of a special rapporteur on violence against women at its fiftieth session,

Also recalling that the World Conference on Human Rights welcomed the decision of the Commission on Human Rights to consider the appointment of the Special Rapporteur on violence against women at its fiftieth session,

Welcoming the adoption by the General Assembly, in its resolution 48/104 of 20 December 1993, of the Declaration on the Elimination of Violence against Women, which recognizes that violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms, and expresses concern about the long-standing failure to protect and promote these rights and freedoms in relation to violence against women,

Deeply concerned at continuing and endemic violence against women, and noting that the Declaration on the Elimination of Violence against Women sets out various forms of physical, sexual and psychological violence against women,

Mindful that the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, affirmed that gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person and must be eliminated,

Alarmed by the marked increase in acts of sexual violence directed notably against women and children, as expressed in the Final Declaration of the International Conference for the Protection of War Victims (Geneva, 30 August-1 September 1993), and reiterating that such acts constitute grave breaches of international humanitarian law,

Bearing in mind that the Vienna Declaration and Programme of Action calls for action to integrate the equal status and human rights of women into the mainstream of United Nations system-wide activity, stresses the importance of

working towards the elimination of violence against women in public and private life and urges the eradication of all forms of discrimination against women,

Recalling the outcome of the World Conference on Human Rights as reflected in the Vienna Declaration and Programme of Action, which affirmed that the human rights of women and of the girl child are an inalienable, integral and indivisible part of universal human rights and that the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex are priority objectives of the international community,

Also recalling that the Vienna Declaration and Programme of Action affirmed that the human rights of women should form an integral part of United Nations human rights activities, including the promotion of all human rights instruments as they relate to women, and urged Governments, institutions, intergovernmental and non-governmental organizations to intensify their efforts for the protection and promotion of the human rights of women and the girl child,

Bearing in mind that the programme of action for the equal status and human rights of women adopted in the Vienna Declaration (Part II, B, 3) sets out a series of measures to be taken to further the full and equal enjoyment by women of all human rights as a priority for Governments and the United Nations, and recognizing the importance of the integration and the full participation of women as both agents and beneficiaries in the development process,

Welcoming the report of the Secretary-General (E/CN.4/1994/34) submitted in response to the request contained in resolution 1993/46 to consult with all United Nations human rights bodies, including the treaty bodies, on the implementation of the resolution and in particular the action taken to create a focal point in the Centre for Human Rights for the human rights of women,

Considering that the Vienna Declaration and Programme of Action called on the United Nations to encourage the goal of universal ratification by all States of the Convention on the Elimination of All Forms of Discrimination against Women by the year 2000 and to avoid, as far as possible, the resort to reservations,

Reaffirming that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of violence against women,

Stressing that the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women will contribute to the elimination of violence against women and that the Declaration on the Elimination of Violence against Women strengthens and complements this process,

Recognizing the need to promote and strengthen national and international efforts to improve the status of women in all areas in order to foster the elimination of discrimination and gender-based violence against women,

Looking forward to the Fourth World Conference on Women: Action for Equality, Development and Peace to be held in Beijing in 1995, and urging that human rights of women should play an important role in its deliberations,

Recognizing the important role of the women's movement and of non-governmental organizations in promoting the human rights of women,

1. Condemns all violations of the human rights of women, including acts of gender-based violence against women;

2. Calls for, in accordance with the Declaration on the Elimination of Violence against Women, the elimination of gender-based violence in the family, within the general community and where perpetrated or condoned by the State and emphasizes the duty of Governments to refrain from engaging in violence against women and to exercise due diligence to prevent, investigate and, in accordance with national legislation, to punish acts of violence against women and to take appropriate and effective action concerning acts of violence against women, whether those acts are perpetrated by the State or by private persons, and to provide access to just and effective remedies and specialized assistance to victims;

3. Condemns all violations of the human rights of women in situations of armed conflict, recognizes them to be violations of international human rights and humanitarian law, and calls for a particularly effective response to violations of this kind, including in particular murder, systematic rape, sexual slavery and forced pregnancy;

4. Calls for the elimination of violence against women in public and private life, of all forms of sexual harassment, exploitation and trafficking in women, the elimination of gender bias in the administration of justice and the eradication of the harmful effects of certain traditional or customary practices, cultural prejudices and religious extremism;

5. Urges Governments to intensify their efforts to promote and protect the human rights of women and eliminate violence against women, in accordance with the Vienna Declaration and Programme of Action and the Declaration on the Elimination of Violence against Women, through the adoption of all appropriate means and measures, at the national, regional and international levels;

6. Decides to appoint, for a three-year period, a special rapporteur on violence against women, including its causes and its consequences, who will report to the Commission on an annual basis beginning at its fifty-first session;

7. Invites the Special Rapporteur, in carrying out this mandate, and within the framework of the Universal Declaration of Human Rights and all other international human rights instruments including the Convention on the Elimination of All Forms of Discrimination against Women and the Declaration on the Elimination of Violence against Women, to:

(a) Seek and receive information on violence against women, its causes and its consequences from Governments, treaty bodies, specialized agencies, other special rapporteurs responsible for various human rights questions and intergovernmental and non-governmental organizations, including women's organizations, and to respond effectively to such information;

(b) Recommend measures, ways and means, at the national, regional and international levels, to eliminate violence against women and its causes, and to remedy its consequences;

(c) Work closely with other special rapporteurs, special representatives, working groups and independent experts of the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities and with the treaty bodies, taking into account the Commission's request that they regularly and systematically include in their reports available information on human rights violations affecting women, and cooperate closely with the Commission on the Status of Women in the discharge of its functions;

8. Requests the Chairman of the Commission, after consultation with the other members of the Bureau, to appoint as Special Rapporteur an individual of recognized international standing and experience in addressing the human rights of women;

9. Requests all Governments to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated and to furnish all information requested;

10. Requests the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies;

11. Also requests the Secretary-General to ensure that the reports of the Special Rapporteur are brought to the attention of the Commission on the Status of Women to assist in the Commission's work in the area of violence against women;

12. Calls for intensified effort at the international level to integrate the equal status of women and the human rights of women into the mainstream of United Nations system-wide activity and to address these issues regularly and systematically throughout relevant United Nations bodies and mechanisms;

13. Recognizes the particular role of the Commission on the Status of Women in promoting equality between women and men;

14. Encourages the strengthening of cooperation and coordination between the Commission on Human Rights, the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women and other treaty bodies, the United Nations Development Fund for Women, the United Nations Development Programme and other United Nations agencies;

15. Calls for closer cooperation and coordination between the Centre for Human Rights and the Division for the Advancement of Women;

16. Renews its call to Governments to include gender-disaggregated data, including information on the de jure and de facto situation of women, in the

information they provide to special rapporteurs, treaty bodies and to all other United Nations bodies and mechanisms concerned with human rights, and notes that the Vienna Declaration and Programme of Action calls on all special rapporteurs, working groups, the treaty bodies and other mechanisms of the Commission and the Sub-Commission to make use of such data in their deliberations and findings;

17. Renews its request to the Secretariat to ensure that special rapporteurs, experts, working groups, treaty bodies and other mechanisms of the Commission and the Sub-Commission are fully apprised of the particular human rights violations suffered by women, and noting in view of the fact that the Vienna Declaration and Programme of Action encourages training for United Nations human rights and humanitarian relief personnel to assist them to recognize and deal with the human rights violations particular to women and to carry out their work without gender bias, and requests the Centre for Human Rights to take action in this regard;

18. Requests all special rapporteurs, experts, working groups, treaty bodies, and other mechanisms of the Commission and the Sub-Commission, in the discharge of their mandates, regularly and systematically to include in their reports available information on human rights violations against women;

19. Requests Governments and the United Nations to include in their human rights education activities information on the human rights of women;

20. Notes that the Fourth World Conference on Women: Action for Equality, Development and Peace, to be held in Beijing in 1995, may consider the question of means of integrating the human rights of women into the mainstream of United Nations system-wide activity;

21. Decides to continue its consideration of the question as a matter of high priority at its fifty-first session;

22. Recommends the following draft decision to the Economic and Social Council for adoption:

"The Economic and Social Council, taking note of the Commission on Human Rights resolution 1994/45 of 4 March 1994, approves:

(a) The Commission's decision to appoint a special rapporteur on violence against women, including its causes and its consequences;

(b) The Commission's request to the Secretary-General to provide the Special Rapporteur with all necessary assistance, in particular, the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups,

and adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies;

(c) The Commission's request to the Special Rapporteur to report to the Commission on an annual basis, beginning at its fifty-first session."

56th meeting
4 March 1994
[Adopted without a vote.]

1994/46. Human rights and terrorism

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Bearing in mind that the most essential and basic human right is the right to life,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights,

Recalling also General Assembly resolution 48/122 of 20 December 1993, its own resolution 1993/48 of 9 March 1993 and resolutions 1993/13 of 20 August 1993 and 1993/23 of 23 August 1993 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Reiterating that all Member States have an obligation to promote and protect human rights and fundamental freedoms, and also that every individual should strive to secure their universal and effective recognition and observance,

Deeply concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

1. Reiterates the unequivocal condemnation of all acts, methods and practices of terrorism in all its forms and manifestations, wherever and by whomever committed, as acts of aggression aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences on the economic and social development of States;

2. Calls upon States to take all necessary and effective measures, in conformity with international standards of human rights, to prevent, combat and eliminate terrorism, and urges the international community to enhance cooperation in the fight against terrorism at the national, regional and international levels;

3. Requests the Secretary-General to collect information on this question from all relevant sources and to make it available to the special rapporteurs and working groups concerned for their consideration;

4. Urges all thematic special rapporteurs and working groups to address as appropriate the consequences of the acts, methods and practices of terrorist groups in their forthcoming reports to the Commission;

5. Requests the Sub-Commission on Prevention of Discrimination and Protection of Minorities to consider the possibility of undertaking a study on the question of terrorism and human rights in the context of its procedures;

6. Decides to continue its consideration of the question as a matter of priority at its fifty-first session.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/47. Human rights and unilateral coercive measures

The Commission on Human Rights,

Recalling the principles set forth in the Charter of the United Nations,

Recalling also General Assembly resolution 2625 (XXV) of 24 October 1970 containing the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Reaffirming General Assembly resolution 3281 (XXIX) of 12 December 1974 containing the Charter of Economic Rights and Duties of States, in particular its article 32 which declares that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

Reaffirming also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,

Bearing in mind its resolutions 1991/79 of 6 March 1991, 1992/39 of 28 February 1992 and 1993/59 of 9 March 1993,

Gravely concerned that the use of unilateral coercive measures adversely affects the socio-humanitarian activities of developing countries and that, in some cases, intensification of such measures hinders the acquisition of essential goods and has a negative effect on the full enjoyment of all human rights,

1. Calls upon the international community to reject the use by certain countries of unilateral economic measures which are in clear contradiction with international law against developing countries with the purpose of exerting, directly or indirectly, coercion on the sovereign decisions of the countries subject to those measures;

2. Reaffirms that the implementation of unilateral coercive measures as a means of exercising political, economic or social pressure against developing countries, which are in clear contradiction with international law, prevents the full realization of all human rights by the people subject to those measures, particularly children, women and elderly people;

3. Requests all States to refrain from adopting any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular, the right of everyone to a standard of living adequate for their health and well-being, including food and medical care, housing and the necessary social services;

4. Condemns the fact that certain countries using their predominant position in the world economy, continue to intensify the adoption of unilateral coercive measures against developing countries, which are in clear contradiction

with international law, such as trade restriction, blockades, embargoes, freezing of assets with the purpose of preventing these countries from exercising their right fully to determine their political, economic and social system and freely to expand their international trade;

5. Also reaffirms that essential goods, in particular food and medicines, should not be used as a tool for political pressure;

6. Requests the Secretary-General to submit, in consultation with Governments and specialized agencies, as well as with intergovernmental and non-governmental organizations, a report to the Commission on Human Rights at its fifty-first session on the coercive measures unilaterally implemented against developing countries hindering the full realization of all rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, particularly the right of people to a minimum standard of living and development.

56th meeting
4 March 1994
[Adopted by a roll-call vote of 23 to 18, with 12 abstentions.]

1994/48. Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

The Commission on Human Rights,

Recalling that the General Assembly, in its resolutions 41/153 of 4 December 1986, 43/140 of 8 December 1988 and 45/168 of 18 December 1990, affirmed the value of regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Recalling also its own resolutions 1988/73 of 10 March 1988, 1989/50 of 7 March 1989, 1990/71 of 7 March 1990, 1991/28 of 5 March 1991, 1992/40 of 28 February 1992 and 1993/57 of 9 March 1993,

Recalling further that the World Conference on Human Rights, in the Vienna Declaration and Programme of Action, emphasized that regional arrangements played a fundamental role in promoting and protecting human rights,

Taking note of resolution 45/2 adopted by the Economic and Social Commission for Asia and the Pacific on 5 April 1989,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Welcoming the joint communiqué of the 26th Association of South-East Asian Nations (ASEAN) Ministerial Meeting held at Singapore on 23 and 24 July 1993 whereby it was agreed that in support of the Vienna Declaration and Programme of Action, ASEAN should consider the establishment of an appropriate regional mechanism on human rights; and welcoming also the holding of the ASEAN Colloquium on Human Rights at Manila on 16 and 17 January 1994, the first in a series of workshops to be organized by the ASEAN Institutes of Strategic and International Studies, intended inter alia to lead and facilitate the process of developing a subregional human rights body for the promotion and protection of human rights in the ASEAN countries,

Recognizing the valuable contribution that independent national institutions can make in the field of human rights to the concept of regional arrangements,

Recognizing also that non-governmental organizations involved in the field of human rights have a valuable role in this process,

Recalling the contribution made by the Second Asia-Pacific Workshop on Human Rights Issues, National Institutions and Regional Arrangements, held at Jakarta from 26 to 28 January 1993, particularly its Chairman's concluding remarks,

Welcoming the decision of the Government of the Republic of Korea to host an Asia-Pacific regional meeting on human rights at Seoul, in 1994,

1. Welcomes the report of the Secretary-General (E/CN.4/1994/40) and the progress achieved in the implementation of Commission on Human Rights resolution 1993/57 of 9 March 1993;

2. Encourages all States members and associate members of the Economic and Social Commission for Asia and the Pacific and other parties to make full use of the depositary centre of that Commission, and requests the Secretary-General to maintain a continuing flow of human rights materials to its library;

3. Also encourages the United Nations development agencies in the Asian and Pacific region to coordinate with the Economic and Social Commission for Asia and the Pacific and other United Nations agencies in their efforts to promote the human rights dimension in their activities;

4. Welcomes the regional workshops on various human rights issues which have been held in the Asian and Pacific region, namely the Seminar on National,

Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo from 21 June to 2 July 1982, the first Asia-Pacific Workshop on Human Rights, held at Manila, from 7 to 11 May 1990, and the second Asia-Pacific Workshop on Human Rights Issues, held at Jakarta, from 26 to 28 January 1993, all of which focused on national institutions and regional arrangements for the promotion and protection of human rights;

5. Also welcomes the establishment of national commissions for human rights by the Governments of India and Indonesia, and the decisions concerning and the preparatory steps being taken towards the establishment of national institutions for the promotion and protection of human rights by the Governments of Papua New Guinea, Sri Lanka and Thailand;

6. Endorses the decision of the Government of the Republic of Korea to host an Asia-Pacific regional meeting in 1994 at Seoul on the region's consultative mechanism;

7. Requests the Secretary-General to facilitate the realization of the decision of the Government of the Republic of Korea to hold that regional meeting under the regular budget for advisory services and technical assistance;

8. Encourages all States in the Asian and Pacific region to consider further the establishment of regional arrangements for the promotion and protection of human rights, taking into account the various approaches and mechanisms identified in the Chairman's concluding remarks at the second Asia-Pacific Workshop held at Jakarta;

9. Appeals to all Governments in the Asian and Pacific region to consider making use of the possibility offered by the United Nations to organize, under the programme of advisory services and technical assistance for the promotion and protection of human rights, information and/or training courses at the national or regional level for appropriate government personnel on the application of international human rights standards and the experience of relevant national and international organs;

10. Requests the Secretary-General to give adequate attention to the countries in the Asian and Pacific region as regards benefiting from all the activities under the programme of advisory services and technical assistance in the field of human rights, particularly in the light of interest in the region in

developing national institutions and regional arrangements for the promotion and protection of human rights;

11. Appeals to the Secretary-General to make more resources available for the strengthening or the establishment of regional arrangements for the promotion and protection of human rights under the programme of advisory services and technical assistance of the Centre for Human Rights;

12. Encourages States in the Asian and Pacific region to request assistance for such purposes as regional and sub-regional workshops, seminars and information exchanges designed to strengthen regional cooperation for the promotion and protection of human rights;

13. Also encourages all States in the Asian and Pacific region to consider ratifying and acceding to international human rights instruments adopted within the framework of the United Nations system, with the aim of universal acceptance;

14. Requests the Secretary-General to consult the States in the Asian and Pacific region on the widest possible basis in the implementation of the present resolution;

15. Also requests the Secretary-General to submit to the Commission at its fifty-first session a further report incorporating information on the progress achieved in the implementation of the present resolution;

16. Decides to continue its consideration of the question at its fifty-first session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".

56th meeting
4 March 1994
[Adopted by a roll-call vote of 45 to 1, with 7 abstentions.]

1994/49. The protection of human rights in the context of human immuno-deficiency virus (HIV) and acquired immune deficiency syndrome (AIDS)

The Commission on Human Rights,

Convinced that HIV/AIDS-related discrimination is a contravention of the fundamental principle of non-discrimination as reaffirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights,

Recalling General Assembly resolutions 46/203 of 20 December 1991 and 45/187 of 21 December 1990, Economic and Social Council resolution 1990/86 of 27 July 1990, World Health Assembly resolutions WHA41.24 of 13 May 1988, WHA43.10 of 16 May 1990, WHA45.35 of 14 May 1992 and WHA46.37 of 14 May 1993, general recommendation 15 of the Committee on the Elimination of Discrimination against women and other relevant resolutions and decisions adopted by organizations of the United Nations system, as well as by other competent forums,

Recalling its resolution 1990/65 of 7 March 1990, in which it endorsed the appointment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of Mr. Luis Varela Quirós to undertake a study on problems and causes of discrimination against people infected with HIV or people with AIDS, and its resolutions 1992/56 of 3 March 1992 and 1993/53 of 9 March 1993 concerning discrimination against people with HIV infection or AIDS,

Acknowledging the significant role of the World Health Organization, within the framework of the global strategy for the prevention and control of AIDS, in combating discrimination against HIV-infected persons, including people with AIDS,

Recognizing the major contribution made by national and international non-governmental organizations in particular organizations of people with HIV/AIDS, and the International Federation of Red Cross and Red Crescent Societies in fighting discrimination against and advocating the rights of people living with HIV/AIDS,

Noting with appreciation the Rights and Humanity Declaration and Charter on HIV and AIDS, transmitted to the Commission at its forty-eighth session by the Permanent Mission of the Gambia to the United Nations (E/CN.4/1992/82),

Recognizing that the challenges presented by HIV/AIDS require renewed efforts to ensure universal respect for and observance of human rights and fundamental freedoms for all,

Concerned that lack of full enjoyment of their fundamental rights by persons suffering from economic, social or legal disadvantage heightens their vulnerability to the risk of HIV infection,

Noting that, according to a report submitted to the Commission on the Status of Women at its thirty-third session (E/CN.6/1989/6/Add.1), women are especially

vulnerable to the risk of HIV infection and to the economic and social impact of AIDS as a result of their disadvantageous legal, social and economic status,

Alarmed at discriminatory laws and policies and the emergence of new forms of discriminatory practices which deny people with HIV infection or AIDS, their families and associates enjoyment of their fundamental rights and freedoms,

Concerned that the fear and ignorance surrounding AIDS are leading to increased stigmatization of and prejudice against people with HIV/AIDS or presumed to be at risk of infection, sometimes resulting in intimidation, harassment or violence against such individuals, as well as to arbitrary detention and deportation,

Bearing in mind that, as recognized by the World Health Assembly in its resolution WHA45.35, there is no public health rationale for any measures that limit the rights of the individual, notably measures establishing mandatory screening,

Recognizing that anti-discrimination measures form a component part of an effective public health strategy,

Stressing that discrimination and stigmatization are counter-productive to measures to prevent and control HIV/AIDS,

Emphasizing the responsibility of Governments, in a spirit of human solidarity and tolerance, to counter social stigmatization of and discrimination against those affected by HIV/AIDS, their families and those with whom they live, and people considered to be at risk of infection,

1. Calls upon all States to ensure that their laws, policies and practices, including those introduced in the context of HIV/AIDS, respect human rights standards and do not have the effect of inhibiting programmes for the prevention of HIV/AIDS and for the case of persons infected with HIV/AIDS;

2. Also calls upon all States to take all the necessary steps, including appropriate and speedy redress procedures, to ensure the full enjoyment of civil, political, economic, social and cultural rights by people with HIV/AIDS, their families and those in any way associated with them, and people presumed to be at risk of infection, with particular attention to women, children and vulnerable groups, in order to prevent discriminatory action against them or their social stigmatization, and to ensure their access to the necessary care and support;

3. Urges all States to include in their AIDS programmes measures to combat social stigmatization, discrimination and violence directed against persons with HIV/AIDS, and to take the necessary steps to develop the supportive social environment necessary for the effective prevention and care of AIDS;

4. Also urges all States to review their legislation and practice to ensure the right to privacy and integrity of persons with HIV/AIDS and those presumed to be at risk of infection;

5. Invites the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and other similar bodies to give full attention to monitoring States parties' compliance with their commitments under the relevant human rights instruments regarding the rights of people infected with HIV/AIDS, their families and people with whom they live, or people presumed to be at risk of infection;

6. Urges relevant working groups and special rapporteurs to consider in their reports the impact of HIV/AIDS on the enjoyment of human rights;

7. Welcomes the preliminary, progress and final reports of Mr. Luis Varela Quirós, Special Rapporteur of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, on discrimination against HIV-infected people or people with AIDS (E/CN.4/Sub.2/1990/9, E/CN.4/Sub.2/1991/10, E/CN.4/Sub.2/1992/10 and E/CN.4/Sub.2/1993/9), and requests the Secretary-General to bring these reports to the attention of the relevant bodies of the United Nations system, specialized agencies, working groups and special rapporteurs, as well as to the human rights treaty bodies, the World Bank and other relevant financial institutions, and those concerned with the status of women;

8. Also welcomes resolution EB93.R5 of 21 January 1994 adopted by the Executive Board of the World Health Organization, in which the Executive Board recommended the development and eventual establishment of a joint and co-sponsored United Nations programme on HIV/AIDS and urged that human rights concerns be incorporated into the strategies implementing the new programme;

9. Expresses its grave concern about the risk which the continuing exploitation of children and child prostitution pose for the transmission of HIV,

and calls upon the Special Rapporteur on the sale of children, child prostitution and child pornography, the Committee on the Rights of the Child and the Working Group on Contemporary Forms of Slavery to pay sustained attention to this question;

10. Calls upon relevant professional bodies to re-examine their codes of professional practice with the view of strengthening respect for human rights and dignity in the context of HIV/AIDS, and calls upon the relevant authorities to develop training in this regard;

11. Requests the Secretary-General to prepare for the consideration of the Commission at its fifty-first session a report on international and domestic measures taken to protect human rights and prevent discrimination in the context of HIV/AIDS and to make appropriate recommendations thereon.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/50. Strengthening of the rule of law

The Commission on Human Rights,

Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all, without any distinction as to race, sex, language and religion, is one of the purposes of the United Nations,

Recalling also that, by adopting the Universal Declaration of Human Rights, Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced also that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Considering that the rule of law contributes to the proper maintenance of law and order and the legal development of social relations and provides a means of ensuring that the State does not exercise its powers in an arbitrary way,

Considering also that under the provisions of the Universal Declaration of Human Rights everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized,

Bearing in mind the various resolutions adopted on the programme of advisory services in the field of human rights, most recently its resolution 1993/87 of 10 March 1993, and the need to strengthen that programme and to make it more effective,

Recognizing that, particularly in developing countries which are fully committed to human rights and may face difficulties in this area, the United Nations system should contribute with technical, material and financial resources to assist those Governments that so request to develop and strengthen the rule of law with a view to ensuring respect for human rights and fundamental freedoms,

Recognizing the need for the United Nations to equip itself with the mechanisms required for making a more positive and significant contribution to strengthening the rule of law in countries engaged in such efforts,

Aware that, to that end, the Centre for Human Rights should be able to offer concrete technical advice and financial support to national projects aiming at the improvement of the human rights situation,

Recalling its resolutions 1992/51 of 3 March 1992 and 1993/50 of 9 March 1993, both entitled "Strengthening of the rule of law",

Noting with appreciation that the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993, recommended that priority be given to national and international action to promote democracy, development and human rights,

Recalling General Assembly resolution 48/132 of 20 December 1993, entitled "Strengthening of the rule of law",

1. Endorses the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations, to be coordinated by the Centre for Human Rights, in order to help States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law;

2. Expresses its conviction that such a programme should be able to provide, upon the request of the interested Government, technical and financial assistance for the implementation of national plans of action as well as specific projects in reforming penal and correctional establishments, education and training of lawyers, judges and security forces in human rights, and any other sphere of activity relevant to the proper functioning of the rule of law;

3. Underlines the importance of the request made by the General Assembly to the Secretary-General, in accordance with the recommendation contained in part II, paragraph 70, of the Vienna Declaration and Programme of Action, to submit concrete proposals to the General Assembly at its forty-ninth session containing alternatives for the establishment, structure, operational modalities and funding of the proposed programme, taking into account existing programmes and activities already undertaken by the Centre for Human Rights;

4. Decides to remain actively seized of this question, with a view to further elaborating the outline of the proposed programme;

5. Also decides to continue its consideration of this question at its fifty-first session, under the agenda sub-item entitled "Alternative approaches and ways and means within the United Nations system for improving the effective enjoyment of human rights and fundamental freedoms", in the light of the proposals of the Secretary-General.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/51. Proclamation of a decade for human rights education

The Commission on Human Rights,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,

Reaffirming article 26 of the Universal Declaration of Human Rights, according to which "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms",

Bearing in mind the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights, on 25 June 1993, and in particular section D on human rights education,

Recalling the provisions of other international human rights instruments, such as article 13 of the International Covenant on Economic, Social and Cultural Rights and article 20 of the Convention on the Rights of the Child,

Further recalling its resolution 1993/56 of 9 March 1993, in which the Commission recommended that knowledge of human rights, both in its theoretical dimension and in its practical application, should be established as a priority in educational policies,

Bearing in mind General Assembly resolution 48/127 of 20 December 1993, in which the Assembly requested the Commission "to consider proposals for a United Nations decade for human rights education, which should be incorporated by the Secretary-General into a plan of action for such a decade and submitted, through the Economic and Social Council, to the General Assembly at its forty-ninth session with a view to the proclamation of a decade for human rights education",

Convinced that human rights education is a priority in that it contributes to a concept of development consistent with the dignity of the human person which takes account of the various segments of society such as children, women, indigenous peoples, racial minorities and disabled persons,

Aware that human rights education involves more than providing information to students but, rather, is a comprehensive life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Taking into account the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well by intergovernmental organizations, including the United Nations Educational, Scientific and Cultural Organization, the International Labour Organisation and the United Nations Children's Fund,

Convinced that individuals must come to know human rights as a comprehensive concept encompassing their civil, cultural, economic, political and social rights,

1. Requests the Economic and Social Council to request the General Assembly to proclaim the 10-year period beginning on 1 January 1995 as the decade for human rights education;

2. Requests the Secretary-General to consider the establishment of a voluntary fund for human rights and education, with special provision for support of the human rights education activities of non-governmental organizations, to be administered by the secretariat of the United Nations Centre for Human Rights, as requested in paragraph 5 of General Assembly resolution 48/127;

3. Urges States to develop programmes and books for the teaching of human rights in primary and secondary education;

4. Also urges all Member States, the specialized agencies and the non-governmental organizations to develop plans of work and to consider allocating resources to contribute to the objectives of the decade for human rights education, taking into account the multi-ethnic character of many societies and the special needs of groups such as children, women, indigenous populations, minorities and disabled persons;

5. Further urges all Member States, the specialized agencies and the non-governmental organizations to provide technical and financial cooperation, including measures of support for human rights education programmes and the allocation of funds for the attainment of the objectives of the decade for human rights education;

6. Encourages the human rights monitoring bodies, in particular the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women, to intensify their efforts in relation to the implementation by States parties of their possible treaty-based obligations regarding education and aspects of education linked to human rights;

7. Also encourages the monitoring bodies to consider requesting States parties to include in the reports called for under the respective human rights treaties, information relating to the context and scope of formal and informal human rights education;

8. Invites the chairpersons of the human rights monitoring bodies to reflect on how each committee could best contribute, within its global perspective, to the promotion of human rights education;

9. Encourages the United Nations High Commissioner for Human Rights, acting in cooperation with Member States, the monitoring bodies, intergovernmental organizations, competent non-governmental organizations and other relevant organs, to include among his specific objectives a plan of action for the "United Nations decade for human rights education";

10. Invites the Secretary-General to submit to the General Assembly at its forty-ninth session, through the Economic and Social Council, a plan of action incorporating any additional activities which might result from consultations with the High Commissioner for Human Rights, Member States, bodies specializing in the field, governmental organizations, non-governmental organizations and other appropriate bodies, as provided for in paragraph 4 of General Assembly resolution 48/127;

11. Decides to continue the consideration of this question at its fifty-first session under an appropriate agenda item.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/52. Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights

The Commission on Human Rights,

Reaffirming that activities to improve public knowledge in the field of human rights are essential to the fulfilment of the purposes of the United Nations set out in Article 1, paragraph 3, of the Charter of the United Nations, and that carefully designed programmes of teaching, education and information are essential to the achievement of lasting respect for human rights and fundamental freedoms,

Recalling previous General Assembly and its own resolutions on this subject,

Recognizing the catalytic effect of United Nations initiatives on national and regional public information activities in the field of human rights,

Acknowledging the valuable role that non-governmental organizations can play in this endeavour,

Believing that the World Public Information Campaign for Human Rights is a valuable complement to the activities of the United Nations aimed at the further promotion and protection of human rights, and recalling the importance attached by the World Conference on Human Rights to strengthening the World Campaign,

Welcoming the appointment of the High Commissioner for Human Rights with the function, inter alia, of coordinating relevant United Nations education and public information programmes in the field of human rights, in accordance with General Assembly resolution 48/141 of 20 December 1993,

1. Takes note with appreciation of the report of the Secretary-General on the development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights (E/CN.4/1994/36);

2. Appreciates the measures taken by the Secretariat to ensure the further production and effective dissemination of human rights information materials in regional and local languages, in cooperation with regional, national and local organizations, as well as with Governments, in particular as a component of the technical assistance projects of the Centre for Human Rights, and encourages the Secretary-General to ensure the widest possible dissemination of the Vienna Declaration and Programme of Action and of information on its follow-up activities;

3. Requests the Centre for Human Rights to finalize its comprehensive review of the programme of information and publications in the field of human rights, including the elaboration of a new information strategy as described in the report of the Secretary-General, and to make an assessment of the effectiveness of this programme, and encourages the Centre to continue its efforts towards streamlining and focusing its publications programme;

4. Encourages the Centre to continue the development of training courses and materials, including targeted training manuals for professional audiences, as described in the report of the Secretary-General, welcomes the convening in 1993 of expert meetings for the purpose of elaborating training manuals, and encourages the continuation of this procedure;

5. Welcomes the publication of the Human Rights Bibliography (United Nations publication, Sales No. G.V.E.92.0.16) by the Centre for Human Rights and the United Nations Library and its availability in electronic format through the United Nations Bibliographic Information System, and encourages the Centre actively to explore further possibilities for the production of computer-accessible human rights information and human rights databases;

6. Urges the Secretary-General to utilize more fully and effectively United Nations information centres for the purpose of timely dissemination, within their designated areas of activity, of basic information and reference materials on human rights and fundamental freedoms, including the reports of States parties to treaty-monitoring bodies, and, to this end, to ensure that United Nations information centres are supplied with adequate quantities of those materials, both in the official languages of the United Nations and in the relevant national languages;

7. Requests the Department of Public Information to make full use of its available resources to produce audio-visual materials on human rights issues, as specifically requested in paragraph 4 of General Assembly resolution 45/99;

8. Requests the Secretary-General to take advantage as much as possible of the collaboration of non-governmental organizations in the implementation of the World Public Information Campaign, including in the dissemination of human rights materials;

9. Encourages all Member States to make special efforts to provide, facilitate and promote publicity for the activities of the United Nations in the field of human rights, to accord priority to the dissemination in their respective national and local languages of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments and to provide information and education on the practical ways in which the rights and freedoms enjoyed under these instruments can be exercised;

10. Supports the recommendation of the World Conference on Human Rights that Member States develop specific programmes and strategies for ensuring the widest human rights education and the dissemination of public information, taking particular account of the human rights needs of women, and encourages Member

States, in drawing up national action plans for the promotion and protection of human rights, to include broad-based education and public information programmes on human rights;

11. Stresses that the Centre for Human Rights should have full responsibility for all United Nations publications in the field of human rights and, in this context, requests the Secretary-General to consider redeploying the financial and human resources within the Department of Public Information currently devoted to the above-mentioned human rights activities to the Centre for Human Rights, as part of his efforts towards strengthening the Centre for Human Rights, to implement the Vienna Declaration and Programme of Action and to support the newly established office of the High Commissioner for Human Rights;

12. Requests the Secretary-General to submit to the Commission, at its fifty-first session, a report on public information activities, with special emphasis on the activities of the World Public Information Campaign for Human Rights, including information on expenditures incurred in 1993 and those envisaged for future activities and other questions raised in the present resolution;

13. Decides to continue its consideration of the question at its fifty-first session under the agenda item entitled "Further promotion and encouragement of human rights and fundamental freedoms, including the question of the programme and methods of work of the Commission".

56th meeting
4 March 1994
[Adopted without a vote.]

1994/53. Human rights and thematic procedures

The Commission on Human Rights,

Considering that, over the years, thematic procedures established by the Commission with regard to the consideration of questions related to the promotion and protection of civil and political rights have earned an important position among its human rights monitoring mechanisms,

Noting with satisfaction that an increasing number of Governments, as well as non-governmental organizations, have developed a working relationship with one or more of the thematic procedures,

Recalling its resolutions 1991/31 of 5 March 1991, 1992/41 of 28 February 1992 and 1993/47 of 9 March 1993,

Recalling also its various resolutions in which it urged Governments to intensify their cooperation with the thematic special rapporteurs and working groups, and to provide information requested on any measures taken in pursuance of recommendations addressed to them,

Recalling further recommendations contained in the Vienna Declaration and Programme of Action, especially in part II, paragraph 95, in which the World Conference on Human Rights underlined the importance of preserving and strengthening the system of special procedures, rapporteurs, representatives, experts and working groups of the Commission,

Recalling the first meeting of the special rapporteurs, representatives, experts and members or chairmen of working groups of the Commission on Human Rights, held from 14 to 16 June 1993 on the occasion of the World Conference on Human Rights,

Noting that some human rights violations are specific to or primarily directed against women, and that the identification and reporting of these violations demand specific awareness and sensitivity,

1. Commends those Governments that have invited the thematic special rapporteurs or working groups to visit their countries;

2. Recommends that Governments consider follow-up visits designed to assist them with effective implementation of recommendations by the thematic special rapporteurs and working groups;

3. Encourages Governments to respond expeditiously to requests for information made to them through the procedures, so that the thematic special rapporteurs concerned, the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention may carry out their mandates effectively;

4. Also encourages Governments encountering problems in the field of human rights to cooperate more closely with the Commission through the pertinent thematic procedures, in particular by inviting a thematic special rapporteur or working group to visit their countries;

5. Invites the Governments concerned to study carefully the recommendations addressed to them under thematic procedures and to keep the relevant mechanisms informed promptly on the progress made towards their implementation;

6. Invites the thematic special rapporteurs and working groups to include in their annual reports information provided by Governments on follow-up action, as well as their own observations thereon;

7. Also invites the non-governmental organizations to continue their cooperation with thematic procedures;

8. Encourages the thematic special rapporteurs and working groups to make recommendations for the avoidance of human rights violations;

9. Also encourages the thematic special rapporteurs and working groups to follow closely the progress made by Governments in their investigations carried out within their respective mandates;

10. Further encourages the thematic special rapporteurs and working groups to continue close cooperation with relevant treaty monitoring bodies and country rapporteurs;

11. Requests the thematic special rapporteurs and working groups to include in their reports comments on problems of responsiveness and the result of analyses, as appropriate, in order to exercise their mandates even more effectively, and to include also in their reports suggestions for areas where Governments might request relevant assistance through the advisory services programme administered by the Centre for Human Rights;

12. Calls on the thematic special rapporteurs and working groups to include in their reports gender-disaggregated data and to address the characteristics and practice of human rights violations under their mandates that are specifically or primarily directed against women, or to which women are particularly vulnerable, in order to assure the effective protection of their human rights;

13. Requests the Secretary-General, in close collaboration with the thematic special rapporteurs and working groups, to issue annually their conclusions and recommendations, so as to enable further discussion of their implementation at subsequent sessions of the Commission;

14. Welcomes the joint declaration of the independent experts responsible for the special procedures for the protection of human rights of 17 June 1993;

15. Requests the Secretary-General to consider the possibility of convening further periodic meetings of all the thematic special rapporteurs and the chairmen of working groups of the Commission on Human Rights in order to enable them to continue to exchange views, cooperate more closely and make recommendations;

16. Also requests the Secretary-General, in implementing the United Nations budget for the biennium 1994-1995, to ensure the availability of such resources as are necessary for the effective implementation of all thematic mandates, including any additional tasks entrusted to the thematic special rapporteurs and working groups by the Commission.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/54. National institutions for the promotion and protection of human rights

The Commission on Human Rights,

Recalling its relevant resolutions and those of the General Assembly concerning national institutions for the promotion and protection of human rights, notably its resolutions 1990/73 of 7 March 1990, 1991/27 of 5 March 1991, 1992/54 of 3 March 1992 and 1993/55 of 9 March 1993, and General Assembly resolutions 44/64 of 8 December 1989, 46/124 of 17 December 1991 and 48/134 of 20 December 1993,

Stressing the importance of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international instruments for promoting respect for, and observance of, human rights and fundamental freedoms,

Affirming that priority should be accorded to the development of appropriate arrangements to ensure the effective implementation of international human rights standards,

Convinced of the important role that can be played by national institutions in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played and should continue to play an important role in assisting the development of national institutions,

Recalling that in General Assembly resolution 48/134, the Assembly welcomed the Principles relating to the status of national institutions,

Welcoming the growing interest shown worldwide in the creation and strengthening of national institutions expressed during the regional preparatory meetings for the World Conference on Human Rights and at the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, as well as at the first International Workshop on National Institutions for the Promotion and Protection of Human Rights, held in Paris from 7 to 9 October 1991, the Commonwealth Workshop on National Human Rights Institutions, held at Ottawa from 30 September to 2 October 1992, the Workshop for the Asia-Pacific Region on Human Rights Issues, held at Jakarta from 26 to 28 January 1993, and the second International Workshop on National Institutions for the Promotion and Protection of Human Rights, held at Tunis from 13 to 17 December 1993,

Welcoming with particular satisfaction the convening of the second International Workshop on National Institutions for the Promotion and Protection of Human Rights at Tunis, and noting the decisions and recommendations adopted by national institutions at that meeting relating to the strengthening of national institutions, as well as the recommendations on the protection of disabled persons, children, women, migrants and those subject to arbitrary detention and torture (E/CN.4/1994/45, chap. VI),

Welcoming also the decisions, announced recently by several States, to establish, or consider establishing, independent national institutions for the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action, adopted by the World Conference, in which was reaffirmed the important constructive role played by national institutions for the promotion and protection of human rights, in particular in their advisory capacity to the competent authorities, their role in remedying human rights violations, and in the dissemination of human rights information and education concerning human rights,

Noting in particular that the World Conference on Human Rights urged Governments to strengthen national institutions which play a role in promoting and safeguarding human rights,

Noting with satisfaction the constructive participation of representatives of a number of national institutions for the promotion and protection of human rights in international seminars and workshops organized or sponsored by the United Nations and its Member States and in other United Nations activities,

1. Reaffirms the importance of the development, in accordance with national legislation, of effective national institutions for the promotion and protection of human rights and of ensuring the pluralism of their membership and their independence;

2. Encourages all Member States to take appropriate steps to promote the exchange, including by national institutions, of information and experience concerning the establishment and operation of such national institutions;

3. Also encourages Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action, and, where appropriate, to incorporate those elements in national development plans or in their preparation of national action plans;

4. Emphasizes in this regard the need to disseminate the Principles relating to the status of national institutions, annexed to General Assembly resolution 48/134 of 20 December 1993, as widely as possible, and calls upon the Secretary-General to undertake this task;

5. Affirms the role of national institutions, where they exist, as appropriate agencies for the dissemination of human rights materials and other public information activities under the auspices of the United Nations;

6. Recognizes the important and constructive role that non-governmental organizations can play in cooperation with national institutions for the better promotion and protection of human rights;

7. Welcomes the decision taken by national institutions at the second International Workshop on National Institutions for the Promotion and Protection of Human Rights (Tunis, 13-17 December 1993) to establish a Coordinating Committee which will hold meetings under the auspices of and in cooperation with the Centre for Human Rights and, in close cooperation with the Centre for Human Rights, will assist national institutions to follow up the relevant resolutions

and recommendations concerning the strengthening of national institutions, including those contained in the report of the Workshop (E/CN.4/1994/45);

8. Requests the Secretary-General to give a high priority to requests from Member States for assistance in the establishment and strengthening of national institutions for the promotion and protection of human rights as part of the programme of advisory services and technical assistance in the field of human rights;

9. Requests the Centre for Human Rights, with the assistance of national institutions and their Coordinating Committee, to provide technical assistance for States wishing to establish or strengthen their national institutions and to organize training programmes for national institutions which request them, and invites Governments to contribute additional funds to the Voluntary Fund for Technical Cooperation in the Field of Human Rights for these purposes;

10. Requests the Secretary-General to convene a third international workshop of national institutions during 1995 in either Latin America or Asia, to invite Governments and intergovernmental organizations to contribute to the Voluntary Fund and to finance attendance by representatives of national institutions from the Voluntary Fund;

11. Requests the Secretary-General to prepare a report, to be submitted to the Commission at its fifty-first session, drawing on comments by States and national institutions and recalling the World Conference on Human Rights, concerning possible forms of participation by national institutions in United Nations meetings dealing with human rights;

12. Decides to continue its consideration of this question at its fifty-first session.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/55. Strengthening the Centre for Human Rights

The Commission on Human Rights,

Recalling all relevant General Assembly resolutions as well as its own resolutions on this question,

Considering that the promotion of universal respect for and observance of human rights and fundamental freedoms is one of the basic purposes of the Charter of the United Nations and one of the main priorities of the Organization,

Recalling that the Vienna Declaration and Programme of Action stresses the importance of strengthening the Centre for Human Rights,

Recalling also that the Secretary-General, in his reports on the work of the Organization for 1992 and 1993, stated that "the Charter of the United Nations places the promotion of human rights as one of our priority objectives, along with promoting development and preserving international peace and security", and that "in the course of 1993, the activities of the Centre for Human Rights at Geneva underwent a significant expansion in the five main areas of its work",

Recalling further that the Commission, in paragraph 30 of its report (E/CN.4/1988/85 and Corr.1) to the Special Commission of the Economic and Social Council, reaffirmed that "the paramount consideration in the employment of staff at every level is the need for the highest standards of efficiency, competence and integrity, and is convinced that this is compatible with the principle of equitable geographical distribution", and bearing in mind Article 101, paragraph 3, of the Charter of the United Nations, emphasizing the desirability of paying particular attention to the recruitment to the Centre for Human Rights of persons from under-represented countries,

Recalling, in this context, the relevant resolutions of the General Assembly on the improvement of the status of women in the Secretariat urging the Secretary-General to accord greater priority to the recruitment and promotion of women,

Welcoming the decision by the General Assembly to establish the post of High Commissioner for Human Rights as well as the mandate for the post, including its overall coordinating role and its supervisory function in relation to the Centre for Human Rights, as well as the request by the General Assembly for appropriate staff and resources for the High Commissioner for Human Rights,

Emphasizing the important role of the Centre for Human Rights as the coordinating unit within the United Nations system in the promotion, protection and implementation of human rights and the need to provide it with sufficient

human and financial resources, particularly in view of the fact that its workload has dramatically increased while resources have failed to keep pace with the expansion of its responsibilities,

Noting that the activities envisaged in the Vienna Declaration and Programme of Action will add further to the workload and the responsibilities of the Centre for Human Rights,

Noting also that the difficult financial situation of the Centre for Human Rights has created considerable obstacles in implementing the various procedures and mechanisms and negatively influenced the servicing by the Secretariat of the human rights machinery,

Acknowledging that further improvement of the functioning and efficiency of the Centre for Human Rights, together with a strong emphasis on good management practice, is needed in order to enable the Centre to cope with the constantly increasing workload,

Noting with appreciation the measures already taken by the Assistant Secretary-General for Human Rights aimed at improving the administration and management of the Centre for Human Rights,

Noting also that to improve the functioning and the efficiency of the Centre for Human Rights, good management practice needs to be complemented by additional resources commensurate with the additional mandates,

1. Requests the Secretary-General to enhance further the role and importance of the Centre for Human Rights, under the overall supervision of the High Commissioner for Human Rights, as the coordinating unit within the United Nations system with respect to human rights;

2. Welcomes the endorsement by the General Assembly of the recommendations of the World Conference on Human Rights concerning the strengthening of the Centre for Human Rights, as contained in the Vienna Declaration and Programme of Action;

3. Takes note of the report of the Secretary-General (E/CN.4/1994/74) on the measures taken to implement General Assembly resolution 48/129 of 20 December 1993 on the strengthening of the Centre for Human Rights of the Secretariat;

4. Requests the Secretary-General to ensure that sufficient resources from within the regular budget of the United Nations are accorded, as a matter of

urgency, to the Centre for Human Rights to enable it to undertake all its functions, in full and on time;

5. Requests in particular the Secretary-General and the General Assembly to ensure that appropriate additional staff and resources from within the existing and future regular budgets of the United Nations are accorded to the Centre for Human Rights to enable it to carry out, in full and on time, the mandates contained in the Vienna Declaration and Programme of Action without diverting resources from development programmes and activities of the United Nations;

6. Emphasizes the need to provide appropriate staff and resources from within the existing and future regular budgets of the United Nations to enable the High Commissioner for Human Rights to carry out his mandate with the assistance of the Centre for Human Rights;

7. Emphasizes also that further steps should be undertaken to analyse the present and future utilization of available human and financial resources and, while noting with appreciation the measures recently taken by the Assistant Secretary-General for Human Rights aimed at improving the management of the Centre, that additional measures should be taken to improve further the administrative efficiency and effectiveness of the Centre for Human Rights, if required with appropriate technical assistance;

8. Decides to consider the question of strengthening the Centre for Human Rights, including measures taken in furtherance of the present resolution, at its fifty-first session.

56th meeting
4 March 1994
[Adopted without a vote.]

1994/56. Composition of the staff of the Centre for Human Rights

The Commission on Human Rights,

Recalling Article 101, paragraph 3, of the Charter of the United Nations, which states that the paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity, and that

due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible,

Also recalling that in part II, paragraph 11, of the Vienna Declaration and Programme of Action, the World Conference on Human Rights requested the Secretary-General and the General Assembly to provide sufficient human, financial and other resources to the Centre for Human Rights to enable it effectively, efficiently and expeditiously to carry out its activities,

Taking into account the need to pay particular attention to the recruitment to the Centre for Human Rights of personnel from developing countries and in this regard to improve the current composition of the staff of the Centre on the basis of a more equitable geographical distribution,

1. Reaffirms that Article 101, paragraph 3, of the Charter of the United Nations should guide the Secretary-General in his policy for the recruitment of the staff of the Organization, in particular taking into account the criteria of equitable geographical distribution;

2. Requests the Secretary-General to adopt the necessary measures to pay particular attention to the recruitment to the Centre for Human Rights of personnel from developing countries, to ensure equitable geographical distribution, and in this regard to give priority in particular to recruitment to high-level and Professional posts and also to the recruitment of women;

3. Also requests the Secretary-General to present to the Fifth Committee of the General Assembly at its forty-ninth session, through the Economic and Social Council, a report on the current geographical distribution of posts in the staff of the Centre for Human Rights in order to evaluate the implementation of the present resolution;

4. Decides to consider this matter at its fifty-first session.

56th meeting
4 March 1994
[Adopted by a roll-call vote of 36 to 15, with 2 abstentions.]